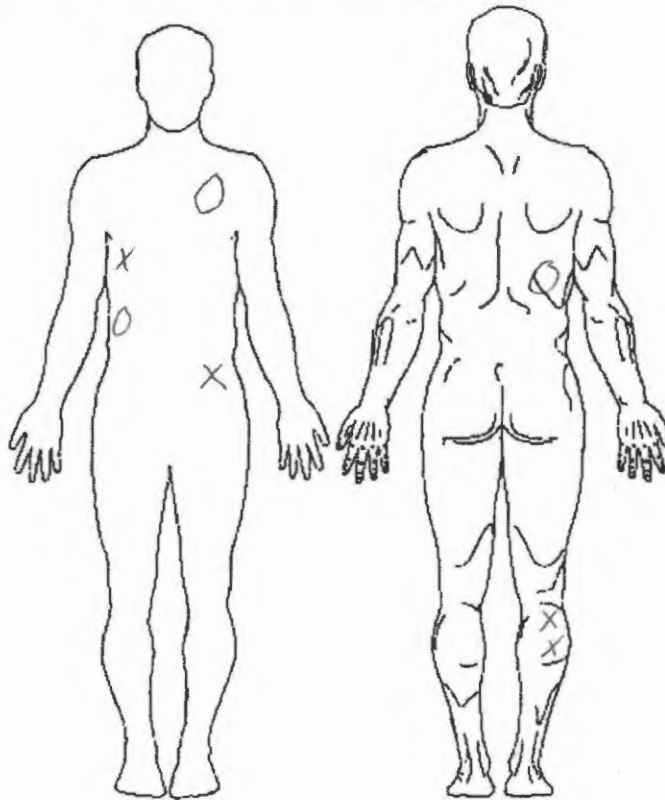


APPLICATION AREAS

(Place "X's" where probes hit suspect AND "O's" where stunned)

SYNOPSIS:

SUSPECT WAS TASED BUT THE PROBES STUCK IN HIS JACKET. ON THE SECOND SHOT WAS IN HIS CALVE THEN MULTIPLE DRIVE STUNS WERE APPLIED UNTIL THE SUSPECT COMPLIED.

Need for additional applications? YES Did the device respond satisfactorily? FAIR

If the TASER deployment was unsuccessful was a DRIVE STUN follow-up used? YES

Describe the subject's demeanor after the device was used or displayed:

ARROGANT BUT COOPERATIVE.

Chemical Spray: NO Baton or Blunt Instrument: NO

Authorized control holds: YES If yes, what types: INSIDE TAKE DOWN

Describe other means attempted to control the subject:

Photographs taken: NO

ADDITIONAL INFORMATION

OWEN MORRIS
Printed Name of Reporting Officer

4446
PR #

Owen Morris
Signature of Reporting Officer

SAAO
Signature of Approving Supervisor

PR #

UF 13-195



Charleston Police Department

Use of Force Report (CPD 167)

ENTERED

A Use of Force Report (CPD 167) shall be completed when any reportable force is used or if one of the following conditions is met:

- Oleoresin Capsicum (OC, Cap-Stun) spray is used,
- Pointing of a firearm directly at any person,
- Any discharge of a firearm, whether intentional or accidental, except when at an approved range or during approved training,
- The subject complains of abuse or excessive use of force (a PSD complaint will also be initiated),
- Reporting is required under the Canine Policy provisions in Section 31 of this policy and procedures manual.
- Any use of deadly force.

Incident number I13122029	Location of occurrence 1500 Block Dixie STREET	Beat / Area of occurrence 08
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Date of occurrence 20 DEC 13	Time 2215	Type of Offense FEDERAL WARRANT	How contact was initiated with subject: <input type="checkbox"/> Dispatched call <input type="checkbox"/> Traffic Stop <input checked="" type="checkbox"/> Inquiry / Stop <input type="checkbox"/> Service of Warrant <input type="checkbox"/> Investigation <input type="checkbox"/> Other (explain in narrative)
--	---------------------	---	--

OFFICER INVOLVED (1)

Name Morris Owen B.	Rank CPL.	Unit Number 4446	Payroll Number 4446	Assigned Shift SEC
LEVEL OF FORCE / TYPE USED (Check as many as apply)	<input type="checkbox"/> LEVEL 2 Use of Soft Empty Hand Control Techniques that have a minimal probability of injury SOFT EMPTY HAND CONTROL TECHNIQUES <input type="checkbox"/> Transport wrist lock <input type="checkbox"/> Straight armbar take down <input type="checkbox"/> Inside take down <input type="checkbox"/> Pressure point <input type="checkbox"/> Other (explain)	<input checked="" type="checkbox"/> LEVEL 3 Use of Department issued OC Spray and/or Hard Empty Hand Controlling Techniques that have a higher probability of injury HARD EMPTY HAND CONTROL, OC SPRAY <input type="checkbox"/> Pain compliance hold <input type="checkbox"/> Kicks <input type="checkbox"/> Knee strikes <input type="checkbox"/> Punches / Strikes <input type="checkbox"/> Defensive counter strikes <input type="checkbox"/> Shoulder pin restraint <input type="checkbox"/> OC Spray <input type="checkbox"/> Other (explain) TASEK	<input type="checkbox"/> LEVEL 4 Use of authorized impact weapons used as soft intermediate weapons (joint locks or come alongs using the impact weapon) or hard intermediate weapons (impact weapon strikes, striking and/or blocking techniques). A canine used subject to the CPD Canine Policy AUTHORIZED IMPACT WEAPONS, DEPLOYMENT OF CANINE <input type="checkbox"/> Baton <input type="checkbox"/> ASP <input type="checkbox"/> Night stick <input type="checkbox"/> Canine deployment <input type="checkbox"/> Other (explain)	<input type="checkbox"/> LEVEL 5 Force that would reasonably be expected to cause serious injury or death FIREARMS, OTHER AUTHORIZED WEAPONS <input type="checkbox"/> Firearm <input type="checkbox"/> Blow to head with impact weapon <input type="checkbox"/> Other (explain)
	<input type="checkbox"/> No Use of Reportable Force, Display of Weapon only (pointing of a firearm directly at any person).			

☐ No Use of Reportable Force, Display of Weapon only (pointing of a firearm directly at any person).

Officer injured? (Yes/No) No	Type and extent of injuries (Requires Report of Incident Injury Report)
--	---

OFFICER INVOLVED (2)

Name Whittington C.M.	Rank SPTCL	Unit Number 127	Payroll Number 4299	Assigned Shift SEC
LEVEL OF FORCE / TYPE USED (Check as many as apply)	<input checked="" type="checkbox"/> LEVEL 2 SOFT EMPTY HAND CONTROL TECHNIQUES <input type="checkbox"/> Transport wrist lock <input type="checkbox"/> Straight arm bar take down <input checked="" type="checkbox"/> Inside take down <input type="checkbox"/> Pressure point <input type="checkbox"/> Other (explain)	<input type="checkbox"/> LEVEL 3 HARD EMPTY HAND CONTROL, OC SPRAY <input type="checkbox"/> Pain compliance hold <input type="checkbox"/> Kicks <input type="checkbox"/> Knee strikes <input type="checkbox"/> Punches / Strikes <input type="checkbox"/> Defensive counter strikes <input type="checkbox"/> Shoulder pin restraint <input type="checkbox"/> OC Spray <input type="checkbox"/> Other (explain)	<input type="checkbox"/> LEVEL 4 AUTHORIZED IMPACT WEAPONS, DEPLOYMENT OF CANINE <input type="checkbox"/> Baton <input type="checkbox"/> ASP <input type="checkbox"/> Night stick <input type="checkbox"/> Canine deployment <input type="checkbox"/> Other (explain)	<input type="checkbox"/> LEVEL 5 FIREARMS, OTHER AUTHORIZED WEAPONS <input type="checkbox"/> Firearm <input type="checkbox"/> Blow to head with impact weapon <input type="checkbox"/> Other (explain)
	<input type="checkbox"/> No Use of Reportable Force, Display of Weapon only (pointing of a firearm directly at any person).			

☐ No Use of Reportable Force, Display of Weapon only (pointing of a firearm directly at any person).

Officer injured? (Yes/No) Yes	Type and extent of injuries (Requires Report of Incident Injury Report) Finger Bitten
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Were other officers involved? ☐ Yes ☒ No (If Yes, attach additional sheets as necessary.)

(over)



**CHARLESTON POLICE DEPARTMENT
GENERAL INVESTIGATIVE SUPPLEMENTARY REPORT**

CPD 102

PAGE 1 OF 1

INCIDENT NUMBER
I13122029

VICTIM
Use of Force

DATE
12-20-2013

TIME
2258

On the 20th of December 2013, Detective Whittington and I observed a male exit a home in the 1500 block of Dixie Street. We identified the male as Reginald Bennett whom we had a Federal arrest warrant for being a felon in possession of a firearm. We had spoke to Mr. Bennett earlier in the evening and told him that we had the warrant in hand and he needed to turn himself in. Mr. Bennett told Detective Whittington that it was Friday evening and he wasn't going to sit in jail all weekend. We observed his vehicle in the 1500 block of Dixie Street. We set up and watched the vehicle. At approximately 2215 hours Mr. Bennett exited a residence and walked to his car. Once Mr. Bennett had sat down in the drivers seat I pulled our vehicle over in front of his blocking him from pulling away. Detective Whittington and I exited our vehicle identifying ourselves as police officers and telling Mr. Bennett to raise his hands. Mr. Bennett raised his hands, but when Detective Whittington opened the drivers door and told him to exit the car and lay on the ground Mr. Bennett began talking about all his stuff that he had on his lap (cell phone, keys etc) and refused to comply. I was standing behind Mr. Bennetts driver side door where I had a good vantage point of him and his general area. I reached over the door and deployed my department issued taser. The taser at first did not seem to work and it was later found that one of the probes had stuck into the zipper of Mr. Bennett's jacket. The taser worked enough to distract Mr. Bennett long enough for Detective Whittington to pull him from the drivers seat. Mr. Bennett still would not comply and began trying to roll and twist away from Detective Whittington. I dropped the first cartridge off the taser and put a second one on. I shot the taser at point blank range into Mr. Bennett's calve and then stuck the taser in Mr. Bennett's side. Mr. Bennett rolled over in an effort to get away from the taser so I pushed it into his stomach. Mr. Bennett yelled out that he would comply. He was then placed in handcuffs, searched then transported to the station. Mr. Bennett was sent south to await federal arraignment.

Owen Morris

4446

PRINTED NAME OF REPORTING OFFICER

PAYROLL

[Signature]

SIGNATURE OF REPORTING OFFICER

[Signature]

SIGNATURE OF APPROVING SUPERVISOR

1186

PAYROLL

ENTERED BY

PAYROLL



**CHARLESTON POLICE DEPARTMENT
GENERAL INVESTIGATIVE SUPPLEMENTARY REPORT**

CPD 102

PAGE ____ OF ____

INCIDENT NUMBER

VICTIM
USE OF FORCE

DATE
12/20/13

TIME
2300

On the 20th Dec 2013 myself along with Detective O. B. Morris were attempting to serve a federal warrant on a black male by the name Reginald Bernard Bennett in the 1500 block of Dixie St. As we approached the vehicle I gave Bennett verbal commands to put his hands up where I could see him. I then opened the drivers side door and told Bennett to exit the vehicle and lay on the ground. Bennett refused to follow my commands so Det. Morris deployed his issued taser. Bennett continued to not obey our commands so I grabbed Bennett by his jacket and pulled him from the vehicle and took him to the ground. Bennett continued to struggle so Morris displayed a second cartridge from his taser. As I was trying to get his hands from under his upper body Bennett bit down on my left little finger and began to roll in the street. Morris then placed the taser in his stomach and I got my finger from his mouth and got control of Bennetts arms and placed him in cuffs. Bennett was then transported to the station for processing. Bennett will be charged for battery on an officer and obstructing. After processing Bennett was transported to South Central Regional Jail where he will be held on the federal warrant.

Det. C. M. Whittington

4299

PRINTED NAME OF REPORTING OFFICER

PAYROLL

SIGNATURE OF APPROVING SUPERVISOR

PAYROLL

SIGNATURE OF REPORTING OFFICER

ENTERED BY

PAYROLL



**CHARLESTON POLICE DEPARTMENT
GENERAL INVESTIGATIVE SUPPLEMENTARY REPORT**

CPD 102

PAGE 1 OF 1

INCIDENT NUMBER
113122029

VICTIM
Use of Force

DATE
12-20-2013

TIME
2258

On the 20th of December 2013, Detective Whittington and Det. Morris advised me that they were sitting on Dixie street watching for Reginald Bennett who was wanted on federal gun charges. I over heard the radio traffic that they had to tased the subject. I went to the scene where I observed the suspect in handcuffs standing next to the police cars. I spoke to Mr. Bennett to see if he was injured. He told me that he was not but that we were wrong to do this at Christmas. I spoke to both officers to see what happened. Det. Morris had to deploy his taser when the suspect would not comply. The suspect bit Det. Whittington on the left little finger. The bite did not break the skin. Mr. Bennett was arrested on the federal charges and also charged with resisting and battery on an officer then transported to jail.

Sgt. R. L. Eggleton

1186

PRINTED NAME OF REPORTING OFFICER

PAYROLL

SIGNATURE OF APPROVING SUPERVISOR

PAYROLL

SIGNATURE OF REPORTING OFFICER

ENTERED BY

PAYROLL

Charleston Police Department

SUPERVISORY TASER® USE REPORT

Date/Time: 12-20-13 / 2215 TASER Officer's Name: OWEN MORRISE-mail: _____ Department: Charleston P.D. Incident #: I13122029Dept. Address: _____ P.O. Box 2749 Charleston, WV 25330 Phone: (304) 348 - 6400On Scene Supervisor: SGT. FLETCHER Officer(s) Involved: MORRIS / WHITTINGTONTASER Model (check one): ☒ TASER X26 ☐ ADVANCED TASER M26If an ADVANCED TASER M226 Was Used, What Battery Type: ☐ Alkaline ☒ NiMHAir Cartridge Type(s): ☐ 21-ft Standard ☒ 21-ft XP ☐ 15ftTASER Serial #: X00-68558 Medical Facility: _____ Doctor: _____Nature of the Call or Incident: SERVING FEDERAL WARRANT Charges: WARRANT / OBSTRUCTING Booked: ☒ Y ☐ NType of Subject: ☒ Human ☐ AnimalLocation of Incident: ☐ Indoor ☒ Outdoor ☐ Jail ☐ HospitalType of Force Used (Check all that apply): ☒ Physical ☐ Baton ☐ Impact Munition ☐ Chemical ☐ FirearmNature of the Injuries and Medical Treatment Required: NONEAdmitted to Hospital for Injuries: ☐ Y ☒ N Admitted to Hospital for Psychiatric: ☐ Y ☒ NMedical Exam: ☐ Y ☒ N Suspect Under the influence: Alcohol/Drugs (specify): NOWas on officer/law enforcement employee injured other than by TASER? ☒ Y ☐ N

Incident Type (mark appropriate response(s) below:

☐ Civil Disturbance ☐ Suicidal ☐ Suicide by Cop ☐ Violent Suspect ☐ Barricaded ☒ Warrant ☐ OtherAge: 40 Sex: M Height: 602 Race: BLK Weight: 180 lbs.TASER use (mark one): ☒ Success ☐ Failure Suspect wearing heavy or loose clothes: ☒ Y ☐ NNumber of Air Cartridges fired: 2 Number of cycles applied: MULTIPLEUsage (check one): ☐ Arc Display Only ☐ Laser Display Only ☒ TASER ApplicationTASER: Is this a dart probe contact: ☒ Y ☐ N Is this a drive stun contact: ☒ Y ☐ NApproximate target distance at the time of the dart launch: 3 feet SECOND ONE 3"Distance between the two probes: 6 inches 2nd 2" Need for an additional shot? ☒ Y ☐ NDid dart contacts penetrate the subject's skin? ☐ Y ☒ N Probes removed on scene: ☒ Y ☐ NDid TASER application cause injury: ☐ Y ☒ N If yes, was the subject treated for the injury: ☐ Y ☒ N

DESCRIPTION OF INJURY: _____